

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

ERNESTO SANCHEZ RODRIGUEZ

Case No. 10-11735-BKT

Chapter 13

Attorney Name: JOSE PRIETO CARBALLO ESQ*

I. Appearances

Debtor ☒ Present ☐ Absent
Joint Debtor ☐ Present ☐ Absent
Attorney for Debtor ☒ Present ☐ Absent
☐ Pro-se
☐ Substitute _____

Date: January 18, 2011

Time: 1:08 PM Track: n/r
☒ This is debtor(s) 1st Bankruptcy filing.

Liquidation Value: _____

Creditors

None

II. Oath Administered

☒ Yes ☐ No

III. Documents Filed/Provided

☒ Schedules
☒ Statement of Financial Affairs (SOFA)
☒ Statement of Current Monthly Income (SCMI)
☒ Credit counseling briefing certificate (CCC)
☐ Waiver requested by debtor(s)
☐ DSO Certificate
☐ DSO Recipient's information
☐ State Tax Returns _____ ☐ Returned
☐ Federal Tax Returns _____ ☐ Returned
☐ Evidence of income (60 days prior to petition)

IV. Status of Meeting ☒ Closed ☐ Not Held ☐ Continued _____ at _____

V. Trustee's Report on Confirmation

☐ FAVORABLE
☒ UNFAVORABLE

☐ Feasibility
☒ Insufficiently funded to pay priorities
☐ Unfair discrimination
☐ Fails liquidation value test
☐ Fails disposable income test (I & J)
☐ No provision for secured creditor(s)

☐ No DSO certificate (Post-petition)
☒ Evidence of income (Certificate for period June 1 - Oct 27, 2010)
☒ Missing ☐ Incomplete
☐ Stmt. of Current Monthly Income
☐ Incomplete ☐ Missing
☐ Fails commitment period ☐ Fails Disp. Income
☐ Certificate of Credit briefing
☐ Missing ☐ More than 180 days
☐ Issuer not certified by U.S.T.

☐ Treat value of collateral separately
☐ No provision for insurance
☐ Tax returns missing
☐ State - years _____
☐ Federal - years _____

☐ Incomplete schedules
☐ Incomplete S.O.F.A.
☒ Other:

(1) DSO information for Yolanda Nevarez Diaz. (2) Debtor will request waiver as to other DSO to Giselle Vazquez

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VI. Plan

(Cont.)

Date: December, 15, 2010 Base \$ 9,000.00 ☒ Filed Evidence of Pmt shown: _____
Payments 0 made out of 1 due. ☐ Not Filed

VII. Confirmation Hearing Date: February, 11, 2011

VIII. Attorney's fees as per R. 2016(b)
\$3,000.00 - \$ 156.00 = \$ 2,844.00

IX. Documents to be provided w/in _____ days

☐ Amended schedules _____

☐ Insurance estimate _____

☐ Assumption/Rejection executory contract _____

☐ Appraisal _____

☐ State tax returns years _____

☐ Federal tax returns years _____

☐ Correct SS # (Form B21) _____

☐ Debtor ☐ Joint debtor

☒ Other:

☒ Amended S.O.F.A. # 3 → include

☐ Amended plan lawsuit where 60%

☐ Business Documents plaintiff

☐ Monthly reports for the months _____

☐ Public Liability Insurance _____

☐ Premises _____

☐ Vehicle(s) _____

☐ Licenses issued by: _____

① Provide ASUME is certificate to review monthly pmt to Yolanda Nieves and arrears owed.

② Provide Court resolution of other DSO (Giselle Vazquez) to review monthly pmt + arrears

☐ M.T.D. to be filed by Trustee: Debtor(s): ☐ failed to appear; ☐ failed to commence payments; ☐ failed to keep payments current; ☐ does (do) not qualify as a debtor (\$109);

☐ Other: _____

Note: Debtor did not work from Oct 28 through the filing of the petition.

COMMENTS

① Amend Schedule "B" to include cause of action regarding car accident he had; he's the plaintiff ② Trustee will file note to dismiss if 1st pmt is not received in 10 days.

③ Debtor will submit Treasury form 562781 → testified under oath that he did not work during yrs 06 and 07. As to yrs 08-09 → he earned approx \$1,000-\$1,500 for ec. year.

Trustee/Presiding Officer

④ Debtor's Schedule "5" does not contemplate DSO monthly pmt to Giselle Vazquez (direct pmt of \$700 monthly as per debtor's testimony)

Date: January 18, 2011

(Rev.)